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END5241USNPAmendments to the Claims

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (currently amended) A biopsy device comprising:  
a hollow sleeve adapted to receive a tissue piercing element therein, the sleeve comprising an open proximal end, a distal end, a sidewall extending between the proximal end and the distal end, and a tissue receiving opening disposed intermediate the proximal end and the distal end, wherein the tissue receiving opening is formed laterally in the sidewall; and  
at least one electrode disposed on the sleeve.
2. (original) The biopsy device of Claim 1 wherein at the sleeve has an open distal end.
3. (original) The biopsy device of Claim 1 wherein at least one electrode is associated with the tissue receiving opening.
4. (original) The biopsy device of Claim 1 comprising at least two electrodes.
5. (original) The biopsy device of Claim 1 comprising first and second electrodes associated with the edges of the tissue receiving opening.
6. (original) The sleeve of Claim 1 further comprising a connector for releasably attaching the sleeve to a biopsy device.
7. (original) The device of Claim 1 wherein the at least one electrode is operatively connected to a source of electrical energy.
8. through 20. (canceled)
21. (new) A biopsy device comprising:

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a hollow sleeve comprising a proximal end, a distal end, a unitary sidewall extending from the distal end to the proximal end, and a lateral opening formed through a portion the unitary sidewall, wherein the lateral opening is configured to receive tissue, wherein the sleeve is configured to axially receive a portion of a biopsy probe instrument; and  
one or more electrodes associated with the sleeve.

22. (new) The biopsy device of Claim 21 wherein the lateral opening is located proximal of the distal end of the sleeve, wherein a portion of the sleeve separates the lateral opening from the distal end of the sleeve.

23. (new) The biopsy device of Claim 21 wherein a portion of the sidewall extends unitarily from the proximal end of the sleeve to the distal end of the sleeve.

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24. (new) The biopsy device of Claim 21 further comprising a connector operable to selectively couple the sleeve with the biopsy probe instrument.

25. (new) The biopsy device of Claim 21 wherein the biopsy probe instrument comprises a distal end having a knife tip, wherein the sleeve is configured such that the knife tip extends distally from the distal end of the sleeve when the sleeve is coupled with the biopsy probe instrument.

26. (new) The biopsy device of Claim 21 wherein the biopsy probe instrument has a tissue receiving window, wherein the sleeve is configured such that the lateral opening of the sleeve permits communication of tissue through the lateral opening of the sleeve and through the tissue receiving window of the biopsy probe instrument when the sleeve is coupled with the biopsy probe instrument.

27. (new) The biopsy device of Claim 21 wherein the biopsy probe instrument is configured to communicate electrical signals to the electrodes when the sleeve is coupled with the biopsy probe instrument.

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28. (new) The biopsy device of Claim 21 wherein the electrodes are configured to receive communication of electrical signals from a power source independent of the biopsy probe instrument.

29. (new) The biopsy device of Claim 21 wherein the one or more electrodes comprises a longitudinal electrode positioned along the sidewall.

30. (new) The biopsy device of Claim 21 wherein the one or more electrodes comprises an annular electrode positioned at the distal end of the sleeve.

31. (new) The biopsy device of Claim 21 wherein the one or more electrodes comprises a pair of electrodes separated by an electrode gap.

~~32. (new) The biopsy device of Claim 21 wherein the distal end of the sleeve is open.~~

34. (new) A biopsy device, comprising:

a biopsy probe instrument, wherein the biopsy probe instrument comprises a cutter, wherein the cutter is operable to sever a tissue sample;

a hollow sleeve coaxially positionable external to the cutter, wherein the hollow sleeve comprises a sidewall and an lateral opening formed through a portion of the sidewall, wherein the opening is configured to permit tissue to pass through the sidewall of the sleeve for the tissue to be severed by the cutter; and

one or more electrodes, wherein the one or more electrodes are associated with one or both of the biopsy probe instrument or the hollow sleeve.